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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cravatt, et al. Art Unit: 1639
Serial No.: 09/738,954 Examiner: M. Tran
Filed: December 15, 2000
Title: PROTEOMIC ANALYSIS

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. §1.132

Sir:

I, Dr. Benjamin F. Cravatt, declare and state that:

1. I am a co-inventor of the subject matter described and claimed in U.S. Patent Application Serial No. 09/738,954, filed December 15, 2000, entitled "Proteomic Analysis."
2. I am familiar with the prosecution history of Patent Application Serial No. 09/738,954.
3. I understand that the Examiner has rejected claims 17, 32-36, 38-40, 42, and 46 under 35 U.S.C. §102 (a), as allegedly being anticipated by Liu (PNAS, 1999, 96(26): 14694-14699), since the authorship of the Liu publication differs from the inventive entity of the present application. I understand that the Examiner has also rejected claims 17, 32-40, 42 and 46 over Liu in combination with Blanchard et al. (U.S. 5,151,164).
4. The authors of the Liu publication include Benjamin F. Cravatt, Matthew P. Petricelli, and Yongsheng Liu. Only Benjamin F. Cravatt, Matthew P. Petricelli are co-inventors of the present invention along with Erik Sorensen, Martha Lovato, and Gregory Adam. I submit that co-author Yongsheng Liu did not contribute to the mental conception of the present invention, but rather performed various experiments that were conceived and designed by the true

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NO. 918 P.3/3

Application No.: 09/738,954

Applicant: Cravat, et. al.

Filed December 15, 2000

Page 2

PATENT

Attorney Docket No.: 9CRIP1210-2

inventors. Therefore, the subject matter of the Liu reference is derived from my own work set forth in the present application.

5. I further declare that all statements made herein of knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

11/4/03

Date


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